IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 34009 of 2007(W)

PETITIONER:

M/S ACER INDIA PVT. LTD.,
SAFEX CARGO COMPLEX MAPUSA PANJIM ROAD,
N.H.NO.17, GUIRIM BARDEZ PANJIM, GOA, GOA 403507:
AND BRANCH IN KERALA AT M/S ACER INDIA PVT. LTD.,
CC.NO.40/9259, MAYUR BUSINESS CENTRE, CHITTOOR ROAD, ERNAKULAM, REP. BY BR.MANAGER, RAJESH JOY.

BY ADV. SRI.A.KUMAR

RESPONDENTS:
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1. THE COMMERCIAL TAX INSPECTOR,
COMMERCIAL TAX CHECK POST,
WALAYAR.

2. THE ASST. COMMISSIONER,
SPECIAL CIRCLE III, ERNAKULAM.

BY GOVERNMENT PLEADER SRI.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 34009 OF 2007 W
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Dated this the 22nd day of November, 2007

J U D G M E N T

The only irregularity noticed for detaining the goods is that with the description of the goods in the invoice, commodity cannot be identified. Petitioner submits that he has furnished all the details along with Ext.P4. Exts. P2 and P3 are the relevant invoices. In the invoices, goods have been described by configuration number, which is also available in the package itself. Therefore, what is needed is only a comparison of this number with the number that is available in the system/package.

2. In view of this, I direct that the respondents shall verify whether the description given in the invoice and furnished to the respondents along with Ext.P4 reply tallies with the corresponding number in the packages in question, and if it tallies with the description in the package, the goods shall be released. This shall be done as expeditiously as possible.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp